

**CITY OF TAKOMA PARK, MARYLAND
PRESENTATION, PUBLIC HEARING AND WORKSESSION
OF THE CITY COUNCIL
(Adopted July 25, 2005)**

Tuesday, May 31, 2005

OFFICIALS PRESENT:

Mayor Porter	City Manager Matthews
Councilmember Austin-Lane	Executive Assistant Forster
Councilmember Barry	Finance Director Brooks
Councilmember Elrich	Deputy City Manager Hobbs
Councilmember Mizeur	Communications Manager Moffet
Councilmember Seamens	HCD Director Daines
Councilmember Williams	

The City Council convened at 7:36 p.m. in the Municipal Building Council Chambers, 7500 Maple Avenue, Takoma Park, Maryland.

COUNCIL COMMENTS

Mayor Porter announced that an Executive Function Session was held earlier in the evening to continue discussions of the City Attorney's evaluation.

Ms. Austin-Lane commented that she is pleased the Council has succeeded in finding the savings to reduce the tax rate. It shows responsiveness to the City's residents on the part of the Council and the City Manager. Ms. Austin-Lane raised three issues on the budget. 1) How to break even with the rental housing license fees. 2) On stormwater fees, I was under the impression that Council set a policy that would fund half the cost of the City Engineer. Where are we on that? If we do explore changing the stormwater fee, I would like to look at the difference between residential and commercial buildings. 3) I would like to have more information how the \$25,000 in the budget for pedestrian safety will be used.

PUBLIC COMMENTS

Seth Grimes, Willow Avenue, spoke in favor of funding the CSAFE program in the Old Town/Metro area.

INTRODUCTION

The City Manager introduced Yovonda Brooks, the City's new Finance Director.

PRESENTATION

1. Update on the Community Center Construction Project

Ms. Matthews reported that the completion date for James F. Knott Construction is still unknown. PEPCO is currently working on site. They will finish their work sometime this week. Knott is expected to complete their work in 30 days after the electrical work is done. There has been a delay in the fabrication of the railings. Until the railings are installed, we cannot occupy the building.

Staff expects to bring the bids for the Community Plaza Level of the project to Council in two weeks. We are expecting three or four bids at this point. Staff has met with representatives of James F. Knott Construction to discuss the long list of outstanding PCOs. Council deserves some resolution on this.

PUBLIC HEARING

2. FY06 Budget

Ms. Austin-Lane submitted written comments she received from residents for the record.

Chantal Worzala, Maple Avenue, spoke in support of the \$25,000 matching funds for the CSAFE in the Old Town / Metro area.

Wolfgang Mergner, President of Old Town Residents Association, commented on progress that has been made in discussions with the Police Chief on using the CSAFE model in Old Town. This program will give us a chance to change the environment here.

Joel Solomon, 7100 block Cedar, supported funding for CSAFE in the Old Town area. He spoke about the impact that crime is having on the community.

Tom Salyers, Cedar Avenue, spoke about crime in the community and encouraged the Council to fund the CSAFE program in Old Town.

Hank Cox, 7300 block of Piney Branch Road, served on the TASDI Committee, commented that he is proud of the TASDI report. He said he is disappointed that the group did not make more gutsy recommendations to Council about funding. Mr. Cox commented on the cost of the rental housing inspection program, rent stabilization, and the need for a more equitable police rebate from Montgomery County.

The Public Hearing was closed at 8:03 p.m.

Ms. Porter noted that the first reading of the budget ordinances is scheduled for next week.

WORKSESSION

3. Arts and Humanities Commission Public Arts Policy

Randy Cohen and Alice Sims of the City's Arts and Humanities Commission, and Sara Daines were present for the discussion.

Mr. Cohen and Ms. Sims reviewed the draft public art process plan developed by the Commission.

Mr. Williams commented that the document is rich with details. There was a need to have a process for public art in the city. The document researches and addresses maintenance and other issues.

Ms. Porter asked if this is the same kind of process that the used to pick the tile work for the Carroll Avenue sidewalk. Ms. Simms responded that it is very similar.

Ms. Porter said the recommendations are helpful. The reaction that I have to what you just said is that with most major pieces of public art, the community would want an input. I assumed that's built in to major pieces of public art. In the ward where I live, there was an art project that was generated by a small group of neighborhood people. This has been a community group that did it; they came up with this themselves. They did the design; they went to the designer themselves. Members of the community could have photographs, or mementos, made part of these tiles. I hope we don't exclude something like that by making this more formal. It was a very good process, and I hope we can still have the flexibility to let community groups do that hands-on kind of project. I'm hoping we can have that flexibility.

Mr. Cohen said yes. The public art committee would be able to get together with these folks to develop a project.

Ms. Daines noted that the process will help protect the City's interest.

Mr. Seamens asked about preservation of public art. There have been instances where people thought something to public art and valuable to the community, and it ended up disappearing.

Ms. Sims said once the City owns it, it should be part of the budget somewhere. If something happens to the art, it's not good to have these wonderful things gone. Maintenance should be a big part of the budget.

Mr. Cohen noted that maintenance is an important piece and this is one of the questions that we need to consider later on. What if something happens to it? Is it okay, in after three years, if it begins to wash away. Over what period of time should we maintain it?

Mr. Barry commented on art for the new pocket park in Ward 6.

Bob _____ expressed concern that the humanities are being shortchanged in the process. He

asked if there is any interest in involving any of the humanities aspects.

Ms. Sims responded yes. She noted the upcoming poet laureate program.

Mr. Cohen said we are keeping humanities on the radar. The poet laureate is one step in that direction.

Ms. Mizeur asked about the timing for the process.

Mr. Cohen said this is something that has a lot of interest and passion about it. We are just beginning the process.

Ms. Daines said the plan is laid out. If you have a neighborhood group that is interested, they would present a proposal to the Arts and Humanities Commission. If there's enough interest in the project, it will be referred to the Public Arts Trust Committee. The Committee will be a revolving group who will help with fine tuning a budget, defining geographical placement of the art, how the artist will be selected, and so on. The recommendations of the Committee will be presented to the City Council. So you still would have to make a decision. It kind of goes down the ladder then back up to you.

Ms. Mizeur said as we solidify this plan, there should be a timeline. Upon approval by the Commission, the Trust Committee will meet in so many days. It will be helpful to keep in on track by not delaying the project too much by too many steps.

Ms. Daines said the trickiest part will be funding because everybody will have their own ideas. With the exception of that particular aspect, it's a question of how long it will take you to raise the funds.

Mr. Cohen explained that the Commission does not have funding of these projects as part of our budget. We'll really be looking to these communities, on a project basis, in establishing a budget, and brainstorming where revenue like that could come from. It might come back to here, it's out there, coming up with a good plan, a good idea, how long it'll take to get this piece developed, compared to where's the funding coming from.

Mr. Barry said, on funding, it might be helpful to the City if we had a little sheet, best practices, on how we can get funding. Funding can be a stumbling block.

Ms. Austin-Lane commented that it would be helpful for Council to have some carrot to offer organizations that might want to donate to us for art projects. Maybe a plaque that will recognize the funders. That might give the Commission more ability to recruit those donations.

BREAK

Council recessed for a scheduled break and reconvened to continue the Worksession.

4. PILOT Agreement for Edinburgh House

Ms. Daines reviewed the terms of the agreement for payment in lieu of taxes between the City and Montgomery Housing Partnership. The current agreement was executed by the City Council in August of 1995. I provided a 10 year reduction in City property taxes: 50% in the first five years, 25% for the second five years. The current agreement expires in 2005. Under the agreement, a total of 50% of the apartments must be occupied by low and moderate income residents. The Partnership is requesting a renewal of the agreement.

Robert Goldman, President, MHP, explained that they bought Edinburgh House 10 years ago and did extensive renovations. Part of the agreement is not to raise rents, thinking at the time through normal turnover in a year, that the units will turn over. The units are not turning over as expected. One of the things we always faced with the state in doing assessments is that they don't recognize affordable housing. They use the income approach, will not look at the real income approach. The real rents that we charge, in spite of our best efforts to appeal assessments, we probably almost doubled. Generally, we are a mission oriented, non-profit group. We are requesting tonight a pilot that is tax deductible.

Ms. Mizeur asked what the City is getting in benefits from the PILOT.

Mr. Goldman responded that, first, we continue to operate affordable housing. That's important. The rents of many of these properties are going for high prices in Takoma Park. It's causing a strain on many of our folks. Second, now that the project is 10 years old, it needs improvement.

Mr. Seamens asked if MHP has plans for other properties in Takoma Park.

Ms. Daines commented that she worked closely with MHP, and whenever property becomes available, they're advised. Some of the property values and asking prices in Takoma Park, many properties don't have the cash flow.

Mr. Elrich asked about the revenue on the property.

Mr. Goldman noted that the revenue does not cover the debt.

Ms. Daines provided information on the property assessment and taxes.

Mr. Williams asked about the interplay between the PILOT and the capital improvement petition process. He said he wants to understand what the effect would be.

Ms. Daines provided information from the annual rent report.

Mr. Williams asked how the capital improvement costs are recaptured in this case.

Mr. Goldman said the only alternative is the PILOT agreement.

Ms. Porter commented that the City does a lot of things to provide affordable housing. I would like to enable you and other people who are nonprofit housing providers in Takoma Park to maintain affordable housing. We don't want to put you in a position where you cannot rent out. The original PILOT was not intended to be permanent, just to get you going. I have no objection to renewing it, but what kind of increment is appropriate is a reasonable question for the City to ask. I am concerned about long term tenants. We would like to see them stay there, too. If rents are raised to the ceiling, they will not be able to stay.

Ms. Daines noted that the way the rent stabilization law is written, when you make improvements to your property, regardless of the cost of the improvements, the overall annual rent increase of the tenant will be limited.

Mr. Goldman said we are not interested in raising it to 15 percent. It's just not what we do. I just don't want to be hamstrung. I believe in rent control.

The discussion continued. There was agreement to have the proposal come back to the Council for additional discussion.

5. Purchase of Granicus Web Streaming Software

Ms. Moffet described the proposal to purchase the Granicus web streaming software which provides integration of video programming staff and city clerks. She noted that a large segment of the community have high speed internet access. The web streaming technology would also be used for other programming.

Mr. Williams asked for clarification on what is provided for the \$12,000 annual payment to host the live stream.

Ms. Porter asked what would happen if the company goes out of business. Would the software be unusable or could it be transferred.

Mr. Seamens questioned whether the City staff is ready to take on a new technology. He expressed his frustration with the website and asked if staff is sure it can take on more at this time.

Mr. Williams commented that you have to be careful not to be paralyzed into inaction, waiting for the perfect solution.

Ms. Austin-Lane raised the issue of contracting out for the website.

Ms. Moffet explained that an outside vendor had redesigned the new web site, while staff have enhanced the existing site. It contains much more information than it did 12 months ago.

Mr. Seamens asked if it is possible to seek volunteer help.

Ms. Moffet responded that too many people have already touched the web site. Some of the issues, like the Y2K problem, are a result of this.

Mr. Barry asked if, given the nature of complaints that have been voiced by citizens, is it worth having a discussion on how to prioritize things.

Ms. Porter said it would be a big step forward, but the concern is that it seems to me it's also a major step forward in terms of the workload that it could potentially create. We get to the point where we can't continue to do good quality work because we're overloaded. It sounds like most of the work maintaining this would not be in your office. It's hard for me to believe that if something happened that it wouldn't take up some of your time. An option might be to continue to move forward, continue to explore it, and do a phase in.

Mr. Elrich expressed concern that a year from now, another staff person will be needed.

Ms. Mizeur commented that she appreciates the idea but that it is a want rather than a need at this point.

Ms. Austin-Lane invited Seth Grimes, resident of Willow Avenue, to comment.

Mr. Grimes commented on the lack of minutes posted on the web page. He suggested that it should be a much higher priority for council to get the website in good current working order. He spoke about the fragmentation on the web site and other problems – a lack of information technology texture. He recommended that the City outsource the website.

Council continued the discussion, noting their concerns. The Granicus purchase was tabled.

ADJOURNMENT

The Council adjourned for the evening at 10:39 p.m.